

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v.

SHUANG CHEN, et al.,

Defendants,

WEIGUO GUAN, et al.,

Relief Defendants.

No. 19-cv-12127-WGY

PLAINTIFF'S MOTION TO DISMISS AS TO DEFENDANT VICKY LIU

Plaintiff Securities and Exchange Commission (the "Commission") hereby files this motion to dismiss its case against defendant Vicky Liu pursuant to Fed. R. Civ. P. 41(a)(1)(B).

As grounds for this request, the Commission states as follows:

1. On October 15, 2019, the Commission charged Liu with violating Sections 17(a)(1) and (3) of the Securities Act of 1933, Sections 9(a)(2) and 10(b) of the Securities Exchange Act of 1934, and Rules 10b-5(a) and (c) thereunder. Dkt. No. 1 ("Complaint"), ¶¶78-95. The Commission sought a permanent injunction against future violations of these securities laws, disgorgement, and a civil monetary penalty against Liu. *Id.*, Prayer for Relief, ¶¶B-D.
2. On October 20, 2021, the Commission and Liu jointly requested that the Court modify the preliminary injunction and asset freeze to permit the sale of all securities in Liu's E*Trade account and the subsequent transfer of all funds from this account to the Court's registry. Dkt. No. 166. The Court granted this motion. Dkt. No. 167.

3. On November 1, 2021, the Commission informed the Court that it intended to dismiss its claims against Liu once she transferred the assets, up to the value of her ill-gotten gains, to the Court's registry to be used to pay an anticipated judgment against defendant Jiali Wang. Dkt. No. 172.
4. Liu has now liquidated her E*Trade account and transferred the proceeds to the Court's registry pursuant to Dkt Nos. 166 and 167. Accordingly, the Commission's claim for disgorgement as to Liu is satisfied.
5. In light of evidence adduced after the Commission filed the Complaint about the nature of Liu's role in the alleged scheme, the Commission no longer intends to seek a civil monetary penalty or injunction against Liu.

WHEREFORE, the Commission respectfully requests that the Court dismiss the claims pending in this civil action as to Vicky Liu.

SECURITIES AND EXCHANGE COMMISSION
By its attorneys,

/s/ Eric A. Forni
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Dated: November 23, 2021

Certificate of Service

I, Eric A. Forni, certify that on November 23, 2021, a true and correct copy of Plaintiff's Motion to Dismiss as to Defendant Vicky Liu was filed through the Court's CM/ECF system and, accordingly, the document will be sent electronically to the registered participants as identified on the Notice of Electronic Filing. In addition, all defendants and relief defendants will be promptly served by email either directly, or through counsel, at addresses attributed to them.

/s/ Eric A. Forni
Eric A. Forni